

PART IV – REPRESENTATIONS AND INSTRUCTIONS

SECTION M

EVALUATION FACTORS FOR AWARD

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PART IV – REPRESENTATIONS AND INSTRUCTIONS

SECTION M

EVALUATION FACTORS FOR AWARD

M.1 BACKGROUND/INTRODUCTION

- (a) This acquisition will be conducted pursuant to Federal Acquisition Regulation (FAR) Part 15, Contracting by Negotiation and Department of Energy Acquisition Regulations (DEAR) Part 915, Contracting by Negotiation.
- (b) The instructions set forth in Section L Provision, Instructions, Conditions, and Notices to Offerors, are designed to provide guidance to the offeror on the documentation that will be evaluated by the Source Evaluation Board. The offeror must furnish adequate and specific information in its response. A proposal will be eliminated from further consideration before the evaluation if the proposal is so grossly and obviously deficient as to be totally unacceptable on its face. For example, a proposal will be deemed unacceptable if it does not represent a reasonable effort to address itself to the essential requirements of the solicitation, or if it clearly demonstrates that the offeror does not understand the requirements of the solicitation. In the event a proposal is rejected, a notice will be sent to the offeror stating the reason(s) that the proposal will not be considered for further evaluation under this solicitation.
- (c) Any exceptions or deviations to the terms and conditions of the contract may make the offer unacceptable for award.
- (d) A proposal deficient in any evaluation criteria will not be selected for award.
- (e) Prior to an award, a determination shall be made whether any possible Organizational Conflict of Interest (OCI) exists with respect to the apparent successful offeror or whether there is little or no likelihood that such conflict exists. In making this determination, DOE will consider the representation required by Section K of this solicitation and other pertinent information available to DOE. .
- (f) In accordance with Section L Provision 52.215-1, Instruction to Offerors Competitive Acquisition, Alternate I, the U.S. Department of Energy (DOE) intends to evaluate proposals and award a contract after conducting discussions with offerors whose proposals have been determined to be within the competitive range. If the Contracting Officer (CO) determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the CO may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals. Therefore, the offeror's initial proposal should contain the offeror's best terms from a price and technical standpoint. .
- (g) Federal Law prohibits the award of a contract under a national security program to a company owned by an entity controlled by a foreign government unless the Secretary of

Energy grants a waiver. In making this determination, the Government will consider the certification required by Section K.

M.2 BASIS FOR CONTRACT AWARD

DOE intends to award one contract to the responsible offeror whose proposal is responsive to the solicitation and determined to be the best value and most advantageous to the Government. Selection of the best value to the Government will be achieved through a process of evaluating the strengths and weaknesses of each offeror's proposal in accordance with the Evaluation Criteria in the solicitation.

In determining best value to the Government, the Technical and Management Evaluation Criteria are significantly more important than the Evaluated Price. The Government is more concerned with obtaining a superior Technical and Management proposal than making an award at the lowest Evaluated Price. However, the Government will not make an award at a price premium it considers disproportionate to the benefits associated with the evaluated superiority of one Technical and Management proposal over another. The Government will assess the strengths and weakness between or among competing technical proposals from the standpoint of: (1) what the difference might mean in terms of anticipated performance; and (2) what the evaluated price to the Government would be to take advantage of the difference.

M.3 TECHNICAL ANALYSIS OF VOLUME III, COST AND FEE PROPOSAL

DOE will evaluate proposals in accordance with the Section M Provision entitled, Evaluation Criteria. As part of this evaluation, DOE will also perform a technical analysis of the Cost and Fee Proposal, and consider this analysis in the evaluation of Volume II, Technical and Management Proposal, and as part of the evaluation of Volume III, Cost and Fee Proposal. As part of the technical analysis of the Cost and Fee Proposal, DOE will evaluate traceability, errors and omissions, and other problem areas.

M.4 EVALUATION CRITERIA

Evaluation Criteria 1 through 4 constitute the Evaluation Criteria for the Technical and Management Proposal. (Corresponding proposal preparation instructions are in the Section L Provision entitled, Proposal Preparation Instructions – Volume II, Technical and Management Proposal.)

Evaluation Criterion 5 constitutes the Cost and Fee Evaluation. (Corresponding proposal preparation instructions are in the Section L Provision entitled, Proposal Preparation Instructions – Volume III, Cost and Fee Proposal.)

M.4.1. Criterion 1 - Technical Understanding and Approach (Evaluated through Written Proposal Information)

Technical Understanding - DOE will evaluate the depth, quality, completeness and effectiveness of the offeror's understanding of the overall

project planning, integration and interface requirements necessary to execute the Portsmouth D&D Project. DOE will evaluate the depth, quality, completeness and effectiveness of the offeror's proposed technical management and integration for ensuring continuity of onsite operations and initiating the Portsmouth D&D Project of PWS Elements C.2.1, C.2.2, C.2.3, C.2.4, C.2.5, C.2.7.1, C.2.7.2, and C.2.7.3. DOE will evaluate the offeror's projectization approach, and approach to achieving its Small Business Subcontracting Plan and the Small Disadvantaged Business (SDB) Participation Program Targets.

Technical Approach to D&D of X-333 Process Building (C.2.3.1) and Ancillary Facilities (C.2.3.2) - DOE will evaluate the depth, quality, completeness and effectiveness of the offeror's technical approach to D&D the X-333 Process Building and Ancillary Facilities (contents, building structure, slab, underground utilities, piping/components, footers, other below-grade structures and soils) For the X-333 Building, DOE will evaluate the amount of performance to be accomplished during the base period and the amount of performance to be accomplished during the option period. DOE will evaluate the offeror's depth, quality, completeness and effectiveness in the identification and assessment of the significant project, technical, and regulatory risks associated with the offeror's proposed approach to the D&D of the X-333 Process Building and Ancillary Facilities, including the offeror's proposed approach to eliminate, avoid, or mitigate these risks

M.4.2 Criterion 2 – Key Personnel and Organization (Evaluated through Written Proposal Information and Oral Presentation)

DOE will evaluate the written proposal for offeror's proposed organization and Key Personnel qualifications and capability. DOE will evaluate the offeror's designation of its organization team and Key Personnel considered essential to the successful accomplishment of the work. The offeror will be evaluated on the suitability of the proposed Key Personnel for the proposed positions. The offeror's Key Personnel will be evaluated on education and experience, including leadership experience, on work similar to that described in the PWS. In evaluating the Key Personnel, the Project Manager will be considered more important than other proposed Key Personnel.

DOE may consider Key Personnel references, including references from sources other than those provided by the offerors, to further assess Key Personnel attributes. Offerors who do not submit a signed Letter of Commitment from each proposed Key Person will be rated lower.

DOE will evaluate the written proposal for depth, quality, effectiveness and completeness of the offeror's organizational structure. DOE will evaluate the

suitability of the proposed Key Personnel position(s) relative to the proposed organizational structure, including roles, responsibilities, and authorities.

DOE will evaluate the oral presentation for the Key Personnel leadership, communication, teamwork, interaction, and problem-solving capabilities in response to the interviews and problem statement.

M.4.3 **Criterion 3 – Past Performance** (Evaluated through Written Proposal Information)

DOE will evaluate the offeror's past performance to determine the degree to which it demonstrates the likelihood it can successfully perform the PWS.

DOE will evaluate relevant past performance information for the offeror, teaming partner(s), and/or major subcontractor(s). In the case of a joint venture, LLC, or other team arrangement formed for the purpose of competing for this contract, DOE will evaluate relevant past performance of the entities that comprise the newly formed entity. Relevant past performance includes current or past contracts similar in size, scope, complexity, duration, and/or risk to the work described in this PWS. DOE will use information either furnished by the offeror's customers and/or information obtained from other independent data sources.

DOE will evaluate the offeror's relevant past performance based on its ability to demonstrate the following:

- ESH&Q
- quality of work (conformance to contract requirements and standards of good workmanship)
- timeliness (adherence to contract schedules)
- cost control (adherence to contract cost estimates)
- customer satisfaction
- stakeholder interface (relationship with regulators and good community stewardship)

For offerors without a record of relevant past performance or for whose past performance information is not available, the offeror will not be evaluated favorably or unfavorably.

M.4.4 **Criterion 4 - Corporate Experience** (Evaluated through Written Proposal Information)

DOE will evaluate the offeror's relevant corporate experience on activities similar to the work described in all elements of the PWS, including experience in problem-solving, working with stakeholders, Citizens Advisory Boards, and regulatory agencies at the state and federal level, and management and integration of regulatory requirements and agreements. DOE will evaluate relevant contract type, size, scope, complexity, duration, and/or risk. This will include an evaluation of the experience of the offeror, teaming partner(s), and/or major subcontractor(s) relative to the proposed PWS elements to be performed and associated benefit to be derived from this experience. Experience shall be evaluated separately for the prime, major subcontractor(s), and /or teaming partners.

In the case of a joint venture, LLC, or other team arrangement formed for the purpose of competing for this contract, DOE will evaluate relevant experience of the entities that comprise the newly formed entity.

DOE may use information within the offeror's proposal and other information, including reference checks, as part of this evaluation.

M.4.5 Criterion 5 - COST AND FEE (Evaluated through Written Proposal Information)

The Cost and Fee Proposal will not be adjectivally rated or point scored, but it will be considered in the overall evaluation of proposals in determining the best value to the Government.

DOE will evaluate the offeror's cost proposal for realism and reasonableness. The evaluation will result in the determination of a Most Probable Cost for each offeror. The evaluation of cost realism includes an analysis of specific elements of each offeror's proposed cost to determine whether the proposed estimated cost elements are realistic for the work to be performed; reflect a clear understanding of the requirements; and are consistent with the methods of performance and materials described in the offeror's technical proposal. The evaluation of cost reasonableness includes those considerations described in FAR subpart 31.2 and consistency with the anticipated funding profile in Section L. Based on its review, DOE will determine a most probable cost to the Government.

The Evaluated Price used in the best value analysis will be the sum of the Most Probable Cost and the Proposed Fee.

$$\text{Most Probable Cost} + \text{Proposed Fee} = \text{Evaluated Price}^*$$

(* to be used in the best value analysis)

The most probable cost and proposed fees for the contract transition, base, and option period will be combined to arrive at the evaluated price.

DOE will compare the evaluated price to the anticipated funding availability as set forth in Section L for both the total anticipated contract funding and the anticipated funding by fiscal year. Since the funding is subject to change based on actual appropriation and actual award date of the contract, DOE may make an award to an offeror whose evaluated price differs from the anticipated funding profile provided in Section L. However, an offeror whose proposed or evaluated price is significantly above the funding profile either on an annual or total basis may be determined ineligible for award.

The offeror has the responsibility to fully document its cost proposal and provide clear traceability to the WBS. DOE may adjust evaluated price as part of its cost realism analysis if the offeror does not adequately provide this documentation and traceability.

M.5 OVERALL RELATIVE IMPORTANCE OF EVALUATION CRITERIA

(a) The technical evaluation criteria/factors are listing below in descending order of importance:

- Criterion 1 – Technical Approach (40%)
- Criterion 2 – Key Personnel and Organization (30%)
- Criterion 3 – Past Performance (20%)
- Criterion 4 – Corporate Experience (10%)

(b) The technical evaluation criteria when combined are significantly more important than Criterion 5, the evaluated Cost and Fee.

(c) Areas within an evaluation criterion are not sub-criteria and will not be individually rated but will be considered in the overall evaluation for that particular evaluation criterion.

M.6 FAR 52.217-5, EVALUATION OF OPTIONS (JUL 1990)

Except when it is determined in accordance with FAR Subpart 17.206(b) not to be in the Government's best interests, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the option(s).